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JAN 17 2002

TRANSMITTAL FORM

(To be used for all correspondence after initial filing)

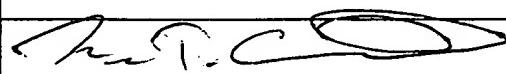
Application Number	09/939,293
Filing Date	August 24, 2001
First Named Inventor	Emad S. Alnemri
Group Art Unit	1632
Examiner Name	
Attorney Docket No.	480140.465

ENCLOSURES (check all that apply)

- | | | |
|---|--|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form
<input checked="" type="checkbox"/> Fee Attached
<input type="checkbox"/> Amendment/Response
<input type="checkbox"/> After Final
<input type="checkbox"/> Affidavits/declaration(s)
<input checked="" type="checkbox"/> Extension of Time Request
<input type="checkbox"/> Express Abandonment Request
<input type="checkbox"/> Information Disclosure Statement; Form PTO-1449
<input type="checkbox"/> Cited References
<input type="checkbox"/> Certified Copy of Priority Document(s)
<input checked="" type="checkbox"/> Response to Missing Parts under 37 C.F.R. 1.52 or 1.53
<input type="checkbox"/> Response to Missing Parts/Incomplete Application | <input type="checkbox"/> Assignment Papers (for an Application)
<input type="checkbox"/> Drawing(s)
<input type="checkbox"/> Request for Corrected Filing Receipt
<input type="checkbox"/> Licensing-related Papers
<input type="checkbox"/> Petition
<input type="checkbox"/> Petition to Convert to a Provisional Application
<input checked="" type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address
<input checked="" type="checkbox"/> Declaration
<input checked="" type="checkbox"/> Statement under 37 CFR 3.73(b)
<input type="checkbox"/> Terminal Disclaimer
<input type="checkbox"/> Small Entity Statement
<input type="checkbox"/> Request for Refund | <input type="checkbox"/> CD(s), Number of CD(s) _____
<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> Return Receipt Postcard
<input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below):
<u>Preliminary Amendment: Part 2 of Notice to File Missing Parts; Copy of Assignment</u>
<hr/>
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Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Individual Name	William T. Christiansen, Ph.D.	 00500 <small>PATENT TRADEMARK OFFICE</small>
Signature		
Date	January 17, 2002	

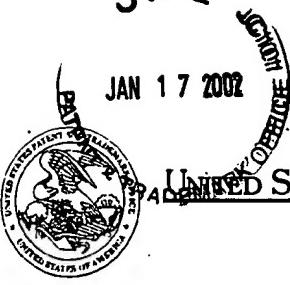
JAN 17 2002
PATENT & TRADEMARK OFFICE
FEE TRANSMITTAL
for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT \$ 1052

<i>Complete if Known</i>	
Application Number	09/939,293
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METHOD OF PAYMENT				FEE CALCULATION (continued)																																																																																																																																																																																																																																																																												
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ADDITIONAL FEES <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left; width: 20%;">Large Entity</th> <th style="text-align: left; width: 20%;">Small</th> <th colspan="4" style="text-align: center;">Fee Description</th> <th style="text-align: right; width: 10%;">Fee Paid</th> </tr> <tr> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Code</th> <th>Fee (\$)</th> <th colspan="2"></th> <th></th> </tr> </thead> <tbody> <tr><td>105</td><td>130</td><td>205</td><td>65</td><td colspan="2">Surcharge - late filing fee or oath</td><td style="text-align: right;">130</td></tr> <tr><td>127</td><td>50</td><td>227</td><td>25</td><td colspan="2">Surcharge - late provisional filing fee or cover sheet.</td><td></td></tr> <tr><td>139</td><td>130</td><td>139</td><td>130</td><td colspan="2">Non-English specification</td><td></td></tr> <tr><td>147</td><td>2,520</td><td>147</td><td>2,520</td><td colspan="2">For filing a request for <i>ex parte</i> reexamination</td><td></td></tr> <tr><td>112</td><td>920*</td><td>112</td><td>920*</td><td colspan="2">Requesting publication of SIR prior to Examiner action</td><td></td></tr> <tr><td>113</td><td>1,840*</td><td>113</td><td>1,840*</td><td colspan="2">Requesting publication of SIR after Examiner action</td><td></td></tr> <tr><td>115</td><td>110</td><td>215</td><td>55</td><td colspan="2">Extension for reply within first month</td><td style="text-align: right;">110</td></tr> <tr><td>116</td><td>400</td><td>216</td><td>200</td><td colspan="2">Extension for reply within second month</td><td></td></tr> <tr><td>117</td><td>920</td><td>217</td><td>460</td><td colspan="2">Extension for reply within third month</td><td></td></tr> <tr><td>118</td><td>1,440</td><td>218</td><td>720</td><td colspan="2">Extension for reply within fourth month</td><td></td></tr> <tr><td>128</td><td>1,960</td><td>228</td><td>980</td><td colspan="2">Extension for reply within fifth month</td><td></td></tr> <tr><td>119</td><td>320</td><td>219</td><td>160</td><td colspan="2">Notice of Appeal</td><td></td></tr> <tr><td>120</td><td>320</td><td>220</td><td>160</td><td colspan="2">Filing a brief in support of an appeal</td><td></td></tr> <tr><td>121</td><td>280</td><td>221</td><td>140</td><td colspan="2">Request for oral hearing</td><td></td></tr> <tr><td>138</td><td>1,510</td><td>138</td><td>1,510</td><td colspan="2">Petition to institute a public use proceeding</td><td></td></tr> <tr><td>140</td><td>110</td><td>240</td><td>55</td><td colspan="2">Petition to revive – unavoidable</td><td></td></tr> <tr><td>141</td><td>1,280</td><td>241</td><td>640</td><td colspan="2">Petition to revive – unintentional</td><td></td></tr> <tr><td>142</td><td>1,280</td><td>242</td><td>640</td><td colspan="2">Utility issue fee (or reissue)</td><td></td></tr> <tr><td>143</td><td>460</td><td>243</td><td>230</td><td colspan="2">Design issue fee</td><td></td></tr> <tr><td>144</td><td>620</td><td>244</td><td>310</td><td colspan="2">Plant issue fee</td><td></td></tr> <tr><td>122</td><td>130</td><td>122</td><td>130</td><td colspan="2">Petitions to the Commissioner</td><td></td></tr> <tr><td>123</td><td>50</td><td>123</td><td>50</td><td colspan="2">Petitions related to provisional applications</td><td></td></tr> <tr><td>126</td><td>180</td><td>126</td><td>180</td><td colspan="2">Submission of Information Disclosure Stmt</td><td></td></tr> <tr><td>581</td><td>40</td><td>581</td><td>40</td><td colspan="2">Recording each patent assignment per property (times number of properties)</td><td></td></tr> <tr><td>146</td><td>740</td><td>246</td><td>370</td><td colspan="2">Filing a submission after final rejection (37 CFR § 1.129(a))</td><td></td></tr> <tr><td>149</td><td>740</td><td>249</td><td>370</td><td colspan="2">For each additional invention to be examined (37 CFR § 1.129(b))</td><td></td></tr> <tr><td>179</td><td>740</td><td>279</td><td>370</td><td colspan="2">Request for Continued Examination (RCE)</td><td></td></tr> <tr><td>169</td><td>900</td><td>169</td><td>900</td><td colspan="2">Request for expedited examination of a design application</td><td></td></tr> <tr> <td colspan="4">Other fee (specify) _____</td> <td colspan="4" style="text-align: right;">SUBTOTAL (3) (\$ 240)</td> </tr> <tr> <td colspan="4" style="text-align: right;">*Reduced by Basic Filing Fee Paid</td> <td colspan="4" style="text-align: right;">SUBTOTAL (3) (\$ 240)</td> </tr> <tr> <td colspan="4" style="text-align: center;">**or number previously paid, if greater; For Reissues, see above</td> <td colspan="4"></td> </tr> <tr> <td colspan="8" style="text-align: center;">SUBMITTED BY</td> </tr> <tr> <td>Name (Print/Type)</td> <td colspan="3">William T. Christiansen, Ph.D.</td> <td>Registration No. Attorney/Agent</td> <td colspan="3">44,614</td> </tr> <tr> <td>Firm Name/ Address</td> <td colspan="3"></td> <td colspan="3"></td> <td rowspan="2" style="text-align: center; vertical-align: middle;">  00500 PATENT TRADEMARK OFFICE </td> </tr> <tr> <td>Signature</td> <td colspan="3"></td> <td>Date</td> <td colspan="2">January 17, 2002</td> </tr> </tbody> </table>				Large Entity	Small	Fee Description				Fee Paid	Fee Code	Fee (\$)	Fee Code	Fee (\$)				105	130	205	65	Surcharge - late filing fee or oath		130	127	50	227	25	Surcharge - late provisional filing fee or cover sheet.			139	130	139	130	Non-English specification			147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination			112	920*	112	920*	Requesting publication of SIR prior to Examiner action			113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action			115	110	215	55	Extension for reply within first month		110	116	400	216	200	Extension for reply within second month			117	920	217	460	Extension for reply within third month			118	1,440	218	720	Extension for reply within fourth month			128	1,960	228	980	Extension for reply within fifth month			119	320	219	160	Notice of Appeal			120	320	220	160	Filing a brief in support of an appeal			121	280	221	140	Request for oral hearing			138	1,510	138	1,510	Petition to institute a public use proceeding			140	110	240	55	Petition to revive – unavoidable			141	1,280	241	640	Petition to revive – unintentional			142	1,280	242	640	Utility issue fee (or reissue)			143	460	243	230	Design issue fee			144	620	244	310	Plant issue fee			122	130	122	130	Petitions to the Commissioner			123	50	123	50	Petitions related to provisional applications			126	180	126	180	Submission of Information Disclosure Stmt			581	40	581	40	Recording each patent assignment per property (times number of properties)			146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))			149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))			179	740	279	370	Request for Continued Examination (RCE)			169	900	169	900	Request for expedited examination of a design application			Other fee (specify) _____				SUBTOTAL (3) (\$ 240)				*Reduced by Basic Filing Fee Paid				SUBTOTAL (3) (\$ 240)				**or number previously paid, if greater; For Reissues, see above								SUBMITTED BY								Name (Print/Type)	William T. 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UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20331
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/939,293	08/24/2001	Emad S. Alnemri	480140.465

00500
SEED INTELLECTUAL PROPERTY LAW GROUP PLLC
701 FIFTH AVE
SUITE 6300
SEATTLE, WA 98104-7092

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OCT 23 2001

CONFIRMATION NO. 2539
FORMALITIES LETTER

OC0000000693444

SEED INTELLECTUAL PROPERTY
LAW GROUP PLLC

Date Mailed: 10/19/2001

#4

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 710 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$2408.
 - \$1368 for 76 total claims over 20.
 - \$1040 for 13 independent claims over 3 .
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 3248.

OP OP
OP OP
740.00 72.00
72.00 130.00

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

01/28/2002 AOSHAN1 00000061 09939293
01 FC:101
02 FC:103
03 FC:105

PATENT

JAN 17 2002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Emad S. Alnemri
Application No. : 09/939,293
Filed : August 24, 2001
For : AN IAP BINDING PEPTIDE OR POLYPEPTIDE AND METHODS
OF USING THE SAME

Art Unit : 1632
Docket No. : 480140.465
Date : January 17, 2002

Box Missing Parts
Commissioner for Patents
Washington, DC 20231

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Commissioner for Patents:

In response to the Notice to File Missing Parts dated October 19, 2001, please find enclosed the following documents:

- Fee
 Oath/Declaration
 Copy of Notice to File Missing Parts
 Sheets of Formal Drawings

Respectfully submitted,
Seed Intellectual Property Law Group PLLC



William T. Christiansen, Ph.D.
Registration No. 44,614